

## **"How My Fourth Amendment Rights Were Violated While Riding In My Vehicle"**

This essay is based on a true story, the characters are real, but the names have been changed to protect the innocent. The question is if a police stops someone because they think the car is over crowded, should they search the car for drugs and other substances?

On a bright sunny day one year ago there was a family of four in their five-seater passenger car. The family was from the bowling alley. Coming on the way from the bowling alley, they were stopped by a police officer. The police officer said that there were too many people in the car, but there were only four passengers in the car.

The police officer told the family to get out of their car. The family was shocked and surprised as to what was happening to them. The police officer searched the car for drugs, and asked them if they had any narcotics or illegal substances on them. The family said "no, and what does searching the car have to do with having too many people in the car"? The police officer said that it was his job to search the car.

What does searching the car have to do with having too many people in the car? The Fourth Amendment guarantees the right of people to be secure in their persons, houses, papers and effects against unreasonable searches and seizure. In others words, unreasonable searches and seizures violate one's Fourth Amendment rights. Why should the police officer search the car, If they did not pull the family over for a search for narcotics or other illegal substances?

What determines when police officers search someone's property? Is it how the person acts? Is

it determined by the neighborhood you are seen in? Is it determined by the company you keep?

Or, is it determined by **your economic status**?

In conclusion, when does the police officer go too far; in this case, how far was the officer supposed to go? When he says he thought a five passenger car was over crowded and he saw that there were only four passengers in the car. The police officer should have not searched the car for anything, when the police officer saw that the car was not over crowded. What does searching the car have to do with having too many people in the car?

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**Resources:** *Michigan State Police Department vs. Sitz*  
**Personal Experiences**